UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

IN THE MATTER OF)	
THE EXTRADITION OF) Case No. 20-mj	-1069-DLC
MICHAEL L. TAYLOR)	
)	
)	
IN THE MATTER OF)	
THE EXTRADITION OF) Case No. 20-mj	-1070-DLC
PETER M. TAYLOR)	

NOTICE OF JAPAN'S VOLUNTARY PRODUCTION OF JANUARY 30, 2020 JAPANESE ARREST WARRANTS FOR MICHAEL AND PETER TAYLOR

On July 7, 2020, counsel for Michael Taylor and Peter Taylor sent an email to the undersigned counsel with the subject line: "Discovery Request – Michael & Peter Taylor":

There are two items that we have searched for but do not see contained within the submission by Japan. They are: (1) a copy of the original arrest warrant that was issued in January 2020, and (2) the underlying Japanese charging document on which the arrest warrant is based. We are requesting that you agree to produce these two items if you have them, and if not, we would ask you to promptly request the same from the Japanese prosecutor.

On July 9, 2020, the undersigned replied:

As previously discussed, the caselaw holds that fugitives do not have a right to discovery in the extradition context. Further, you have not articulated a basis for the discovery requests. But in any event, the government does not have any additional documents responsive to your discovery requests in its possession, custody, or control, beyond what has previously been provided. It is Japan's decision as to whether to voluntarily provide any further documentation. We will inquire with them.

Without waiting for the government to respond with the results of its inquiry to Japan regarding these discovery requests, over the weekend, on July 12, 2020, the Taylors filed an Emergency Motion to Compel Production. Docket No. 43.

Early this morning, on July 13, 2020, Japan transmitted to the government copies of the January 30, 2020 Japanese arrest warrants, which append the Request for an Arrest Warrant submitted

by the Tokyo District Public Prosecutors Office.¹ The government transmitted these documents to the Taylors' counsel within three hours of its receipt from Japan along with the following statement:

The government stands on its prior objections to your discovery requests. However, this morning, Japan voluntarily provided to the government the attached January 30, 2020 arrest warrants. Japan has also advised that it has no additional documents responsive to your discovery requests set forth below. The government is providing you with these documents without waiver of any arguments, including any arguments regarding the appropriateness of discovery in these extradition proceedings.

Thus, neither the government nor Japan has any further documents responsive to the Taylors' discovery requests that were propounded by email to the government on July 7, 2020. Accordingly, the Taylors' Motion should be denied as moot.

Respectfully submitted,

Date: July 13, 2020 ANDREW E. LELLING United States Attorney

By: /s/ Stephen W. Hassink
STEPHEN W. HASSINK
Assistant United States Attorney

By: <u>/s/ Philip A. Mirrer-Singer</u>
PHILIP A. MIRRER-SINGER
Trial Attorney

CERTIFICATE OF SERVICE

I, Stephen W. Hassink, Assistant U.S. Attorney, do hereby certify that on July 13, 2020, I served a copy of the foregoing on all registered parties by electronic filing on ECF.

/s/ Stephen W. Hassink Stephen W. Hassink Assistant U.S. Attorney

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¹ Copies of the January 30, 2020, arrest warrants are attached hereto as Exhibits A-D.